



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/519,285

10/26/2005

Daniel E. Evanicky

PURE-P010

9085

41066

7590

08/17/2009

MURABITO, HAO & BARNES, LLP
TWO NORTH MARKET STREET, THIRD FLOOR
SAN JOSE, CA 95113

EXAMINER

ALMEIDA, CORY A

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

08/17/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/519,285	Applicant(s) EVANICKY, DANIEL E.	
	Examiner CORY A. ALMEIDA	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-16, 18-22, 24-29, 31-35, 37 and 38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-16, 18-22, 24-29, 31-35, 37 and 38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 17, 23, 30 and 36 are cancelled.

Claims 13-16, 18-22, 24-29, 31-35 and 37-38 are pending.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 13-16, 18-22, 24-29, 31-35 and 37-38 rejected under 35 U.S.C. 103(a) as being unpatentable over Penz, US-4364039 in view of Daly, US-20030090455.

3. In regards to claim 20 and associated method claim 13, Penz discloses a multi-component display (Abstract) comprising a first display screen (Fig. 3, 31) operable to display an image in a first region of said first display screen, wherein said first region comprises an area less than the entire area of said first display screen (Col. 1, 45-50), and a second display screen (Fig. 1, 32) operable to adjust transmissivity of a second region of said second display screen for modifying said display of said image in accordance with an image characteristic (Col. 2, 3-9), wherein said first and second display screens overlap (Fig. 3), and wherein a position of said second region of said second display screen is aligned with a position of said first region of said first display screen to selectively control an amount of light in the localized area of said first region (Col. 2, 21-26).

Penz does not disclose expressly dynamically adjusting transmissivity.

Daly discloses dynamically controlling transmissivity of display regions in a multi-component display system (Par. 0024-0025).

At the time of the invention, it would have been obvious to one of ordinary skill in the art that the multi component display system of Penz could have transmissivity controlled dynamically controlled as Daly discloses.

The motivation for doing so would have been for increased dynamic range (Par. 0025).

Therefore, it would have been obvious to combine Daly with Penz to obtain the invention specified in claims 20 and 13.

4. In regards to claim 21 and associated method claim 14, Penz discloses said image characteristic is selected from a group consisting of a brightness, a contrast, a color, a hue, a color temperature, and a gamma response (Col. 2, 3-9).

5. In regards to method claim 15, Penz discloses displaying said image on said first display screen (Col. 1, 45-50).

6. In regards to claim 22 and associated method claim 16, Penz disclose said first display screen is further operable to display a second image in a third region of said first display screen, wherein said third region comprises an area less than the entire area of said first display screen (Penz LCD screens can display multiple images in multiple regions and areas of the screen), wherein said second display is further operable to adjust a fourth of said second display screen for modifying said second image in accordance with a second image characteristic (Col. 2, 3-9), wherein said fourth region of said second display screen corresponds to said third region of said first display

screen (Col. 2, 3-9, the third and fourth image regions would line up as the displays are stacked and the pixels overlap), wherein said image characteristic and said second image characteristic are different (the LCDs are capable of displaying different images in different colors, etc...).

7. In regards to claims 24 and associated method claim 18, Penz discloses said second display screen is operable to adjust contrast of said image within said region while substantially maintaining net brightness of graphical objects presented by said first and second display screens (Col. 1, 45-50, Col. 2 3-9).

8. In regards to claim 25 and associated method claim 19, Penz discloses said first and second display screens comprise liquid crystal displays (Col. 1, 5-10).

9. In regards to claim 33 and associated method claim 26, Penz discloses a multi-component display (Abstract) comprising a display screen (Fig. 3, 31) operable to display an image in a first region of said first display screen, wherein said first region comprises an area less than the entire area of said first display screen (Col. 1, 45-50), and a non-display layer (Fig. 1, 32) operable to adjust a second region of said non-display layer for modifying said display of said image in accordance with an image characteristic (Col. 2, 3-9), wherein said first and second display screens overlap (Fig. 3), and wherein a position of said second region of said non-display screen is aligned with a position of said first region of said first display screen to selectively control an amount of light in the localized area of said first region (Col. 2, 21-26).

Penz does not disclose expressly dynamically adjusting transmissivity.

Daly discloses dynamically controlling transmissivity of display regions in a multi-component display system (Par. 0024-0025).

At the time of the invention, it would have been obvious to one of ordinary skill in the art that the multi component display system of Penz could have transmissivity controlled dynamically controlled as Daly discloses.

The motivation for doing so would have been for increased dynamic range (Par. 0025).

Therefore, it would have been obvious to combine Daly with Penz to obtain the invention specified in claims 33 and 26.

10. In regards to claim 34 and associated method claim 27, Penz discloses said image characteristic is selected from a group consisting of a brightness, a contrast, a color, a hue, a color temperature, and a gamma response (Col. 2, 3-9).

11. In regards to method claim 28, Penz discloses displaying said image on said first display screen (Col. 1, 45-50).

12. In regards to claim 35 and associated method claim 29, Penz disclose said first display screen is further operable to display a second image in a third region of said first display screen, wherein said third region comprises an area less than the entire area of said first display screen (Penz LCD screens can display multiple images in multiple regions and areas of the screen), wherein said second display is further operable to adjust a fourth of said second display screen for modifying said second image in accordance with a second image characteristic (Col. 2, 3-9), wherein said fourth region of said second display screen corresponds to said third region of said first display

Art Unit: 2629

screen (Col. 2, 3-9, the third and fourth image regions would line up as the displays are stacked and the pixels overlap), wherein said image characteristic and said second image characteristic are different (the LCDs are capable of displaying different images in different colors, etc...).

13. In regards to claim 37 and associated method claim 31, Penz discloses said second display screen is operable to adjust contrast of said image within said region while substantially maintaining net brightness of graphical objects presented by said first and second display screens (Col. 1, 45-50, Col. 2 3-9).

14. In regards to claim 38 and associated method claim 32, Penz discloses said first and second display screens comprise liquid crystal displays (Col. 1, 5-10).

Response to Arguments

15. Applicant's arguments with respect to claims 13-16, 18-22, 24-29, 31-35 and 37-38 have been considered but are moot in view of the new ground(s) of rejection as presented above.

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

Art Unit: 2629

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CORY A. ALMEIDA whose telephone number is (571) 270-3143. The examiner can normally be reached on Monday through Friday 8AM to 4PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Eisen can be reached on 571-272-7687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KEVIN M NGUYEN/
Primary Examiner, Art Unit 2629

CA

Application/Control Number: 10/519,285

Page 8

Art Unit: 2629

8/12/2009